



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:

Company Dan Guy

OGM Joe Helfrich Environmental Scientist III

Inspection Report

Permit Number:	C0070016
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, September 19, 2006
Start Date/Time:	9/19/2006 2:00:00 PM
End Date/Time:	9/19/2006 6:00:00 PM
Last Inspection:	Wednesday, August 16, 2006

Inspector: Joe Helfrich, Environmental Scientist III

Weather: breezy 75 high clouds

InspectionID Report Number: 1081

Accepted by: whedberg
9/29/2006

Permittee: **MOUNTAIN COAL CO**

Operator: **MOUNTAIN COAL CO**

Site: **GORDON CREEK 2, 7 & 8 MINES**

Address: **HC 35 BOX 380, HELPER UT 84526**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **RECLAIMED**

Current Acreages

179.27	Total Permitted
34.15	Total Disturbed
34.15	Phase I
	Phase II
0.73	Phase III

Mineral Ownership

- ☒ Federal
☐ State
☐ County
☒ Fee
☐ Other

Types of Operations

- ☒ Underground
☐ Surface
☐ Loadout
☐ Processing
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

-The purpose of this site visit was to conduct a complete inspection of the Gordon Creek reclaimed site.
 -There is one amendment pending, the phase II bond release application for the reclaimed site, Task ID #2384.
 -The amendment has been reviewed by the DOGM staff. The following deficiencies were noted:
 R645-301-880.120, the Permittee must include in the newspaper advertisement, the type of bond held, and when the Permittee completed seeding.
 R645-301-880.130, The Permittee must include a notarized statement which certifies that all the applicable reclamation activities have been accomplished in accordance with the requirements of the R645 Rules.
 R645-301-830, The Permittee must include a map that shows the following so that the Division can determine the amount of bond that is needed to ensure reclamation in the event of bond forfeiture: the reclamation dates and acreages of each reclaimed area, the operation or reclamation status of each area, such as active; temporary cessation; or phase bond release and, areas proposed for bond release. These three items have been addressed. The phase II bond release inspection is scheduled for September 28, 2006. There were no compliance issues or off site impacts noted during the inspection.

Inspector's Signature: _____

Joseph C. Helfrich
Joe Helfrich, Environmental Scientist III

Date Monday, September 25, 2006

Inspector ID Number: 1

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The permit for this reclaimed site was renewed effective August 28, 2004 and expires August 30, 2008.

2. Signs and Markers

Signs with the required information were posted at the entrance to the reclaimed area. The county road sign is down and the fence should be mended to prevent access by 4-wheel ATV's.

4.a Hydrologic Balance: Diversions

Vegetation is well established in the diversions across the reclaimed site. They were functioning adequately at the time of this inspection.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Pond inspections included the sediment pond and Jacobs pond. Survey results indicated that there was 0.15 acre feet of sediment storage remaining in cell #1 of the sediment pond. The ponds were inspected on 06/23/2006 showing no signs of instability or erosion. There were 2' and 1' of water respectively in Jacobs pond and the first cell of the sed pond.

4.c Hydrologic Balance: Other Sediment Control Measures

The gabions located at the toe of the reclaimed fan portal are basically filled in but continue to provide sediment control and prevent erosion in the county road ditch.

4.d Hydrologic Balance: Water Monitoring

Hard copies of the 2nd quarter 2006 water monitoring data were available for inspection. Water monitoring for this quarter was completed on 6/14/2006. The second quarter data was uploaded into the data base on 9/27/2006. There were no anomalies or parameter exceedances.

4.e Hydrologic Balance: Effluent Limitations

Dmr's were current through August of 2006, showing no discharge from the sediment pond.

9. Protection of Fish, Wildlife and Related Environmental Issues

Wildlife and grazing are the postmining land uses. Cattle have been grazing on the reclaimed site for about a month. Previous conversations with Dan Guy and Pat Collins suggested that limited grazing would be beneficial to the vegetation on the reclaimed site.

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13. Revegetation

The vegetation on the reclaimed area is well established. As part of the phase II bond release application, previous quantitative and qualitative sampling and analysis by Pat Collins of MT. Nebo Scientific suggests that the vegetation is adequate to control erosion and off site deposition of suspended solids. The bond release inspection is scheduled for September 29, 2006. Although sparse there are a few thistle plants on the site. They should be sprayed in the spring during the rosette stage.

21. Bonding and Insurance

Liberty Mutual Insurance Company holds the \$641,443.00 bond. St. Paul Fire & Marine Insurance Company carries a \$500,000 general liability coverage that expires July 31, 2007.